## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF MISSOURI CENTRAL DIVISION

JOHN E HARPER and SHIRLEY ANN	)	
HARPER,	)	
Plaintiffs,	)	
Fiamuns,	)	
vs.	)	Cause No. 2:19-cv-4073
	)	
J & E LOGISTICS, LLC and RUBEN D. REYES,	)	Boone County Circuit Court No.
	)	19BA-CV00841
Defendants.	)	

## JOINT NOTICE OF REMOVAL

COME NOW Defendants J&E Logistics, LLC, and Ruben D. Reyes-Reyes (improperly named as Ruben D. Reyes), by and through the undersigned counsel, pursuant to 28 U.S.C. § 1446(b), and file this Notice of Removal to the United States District Court for the Western District of Missouri, Central District, and for grounds of this Notice of Removal, state:

- The above-entitled action filed and now pending in the Circuit Court of Franklin County,
  Missouri, involves Plaintiffs, who reside in Missouri respectively, and Defendants, a
  foreign corporation and an individual, both residing in the State of Kentucky. (See
  Plaintiffs' Complaint, attached hereto and incorporated as Exhibit 1).
- Defendants were served Plaintiffs' Complaint on March 15, 2019 and March 13, 2019, respectively.
- 3. As required by 28 U.S.C. § 1446(b), Defendants' Notice of Removal is filed in this Court within thirty (30) days after the receipt by Defendants of a copy of Plaintiffs' Complaint in said action, setting forth a claim for relief upon which said action is based, which was served upon Defendants.

- 4. The United States District Court for the Western District of Missouri has diversity jurisdiction over this case because the matter in controversy exceeds the sum of \$75,000.00 and is between citizens of different states.
- Therefore, pursuant to 28 U.S.C. § 1332, this Court has original jurisdiction over Plaintiffs' 5. cause of action as complete diversity exists, authorizing removal to this Court pursuant to 28 U.S.C. § 1446(b).
- 6. As Plaintiffs' Complaint was originally filed in Boone County, Missouri, removal to this judicial district and division is appropriate pursuant to 28 U.S.C. § 1441(a).
- 7. This Court has supplemental jurisdiction over all claims contained within Plaintiffs' Complaint, pursuant to 28 U.S.C. § 1367, because said claims arise between the same parties and out of the same controversy which serves as the basis of Plaintiffs' claims.
- 8. Furthermore, as required by 28 U.S.C. § 1446(a), Defendants attach a copy of all process, pleadings, and orders served upon Defendants in said action, attached hereto as Exhibit 2.
- 9. Contemporaneously with the filing of this Notice of Removal, and pursuant to 28 U.S.C. § 1446(d), Defendants are filing a copy of this Notice of Removal with the Clerk of the Circuit Court of Boone County, Missouri, and is serving a copy on counsel for Plaintiffs. WHEREFORE, Defendants pray this Honorable Court accept jurisdiction of said action.

/s/ Steven J. Hughes

Steven J. Hughes #38968 Joseph M. Hoffman #67360 HUGHES LAWYERS, LLC Attorneys for Defendants 1314 So. 18<sup>th</sup> Street St. Louis, Missouri 63104

(314) 328-5770

Email: steve@hugheslawyersllc.com Email: joe@hugheslawyersllc.com

I hereby certify that a copy of the foregoing filed electronically with the Clerk of the Court this 11<sup>th</sup> day of April 2019 to be served by operation of the Court's electronic filing system upon the following or U.S. mail for parties not registered with CM/ECF, on this 11<sup>th</sup> day of April 2019: **Mr. R. Thomas Avery**, Attorney for Plaintiffs, 120 S. Central Ave., Suite 1500, St. Louis, Missouri 63105; Email: rtavery@bbdlc.com.

/s/ Steven J. Hughes